



National Guard Bureau Office of Legislative Liaison



National Guard Funding in the Economic Stimulus

Analysis of H.R. 1, the American Recovery and Reinvestment Act of 2009

As of 19 February 2009

Economic Stimulus Package Bills Status

	Passed in Committee	Passed in Chamber	Agreement	Final Passage	Signed into Law
House (H.R. 1)	<input checked="" type="checkbox"/> 21 January 2009	<input checked="" type="checkbox"/> 28 Jan 2009	<input checked="" type="checkbox"/> 12 Feb 2009	<input checked="" type="checkbox"/> 13 Feb 2009	<input checked="" type="checkbox"/> 17 Feb 2009
Senate (H.R. 1)	<input checked="" type="checkbox"/> 27 January 2009	<input checked="" type="checkbox"/> 10 Feb 2009		<input checked="" type="checkbox"/> 13 Feb 2009	

Executive Summary

The "American Recovery and Reinvestment Act of 2009," a bill meant to stimulate the American economy, includes much-needed funding for National Guard military construction and facilities maintenance. The bill makes supplemental appropriations for job preservation and creation, infrastructure investment, energy efficiency and science, assistance to the unemployed, and State and local fiscal stabilization, for the fiscal year ending September 30, 2009. On 28 January, the House passed the bill (H.R. 1). On 10 February, the Senate adopted an amendment in the nature of a substitute to H.R. 1 that included provisions reported by the Senate Appropriations and Finance committees and passed the measure by a vote of 61-37. The Conference Committee reconciled the bills and filed the report on 12 February. The House and Senate passed the bill 13 February and it became law on 17 February.

In early January, the Senate National Guard Caucus urged Senate leaders to include Army and Air National Guard military construction funding in an economic stimulus package. The letter noted that the National Guard is a community-based force with more than 3,200 Army and Air National Guard facilities spread across the nation. Improving and updating these facilities not only increases military readiness and homeland security but strengthens infrastructure which connects citizens to their military.

As a result of a Congressional request, the National Guard Bureau has identified \$1.2 billion worth of shovel-ready Army and Air National Guard military construction projects. This includes \$832 million of Army National Guard projects and \$352.5 million of Air National Guard projects. The Army National Guard can immediately execute \$368 million in facilities maintenance while the Air National Guard can execute \$30.4 million in facilities maintenance.

House, Senate, and Conference Bills Compared

(all Dollars in Thousands)

	HOUSE MILCON FUNDING	SENATE MILCON FUNDING	CONFERENCE MILCON FUNDING	HOUSE O&M FUNDING	SENATE O&M FUNDING	CONFERENCE O&M FUNDING
AFRES	60,000	0	0	14,811	10,674	13,187
USNR	30,000	0	0	62,162	44,586	55,083
USAR	100,000	0	0	110,899	79,543	98,269
ANG	70,000	110,000	50,000	29,269	20,922	25,848
Air Force	280,000	871,332	180,000	1,236,810	927,113	1,095,959
Army	920,000	637,875	180,000	1,490,804	1,169,291	1,474,525
ARNG	140,000	150,000	50,000	302,700	215,557	266,304
Navy, USMC, USMCR	350,000	990,092	280,000	797,917	716,314	810,825

Prefatory Language

SEC 3. PURPOSES AND PRINCIPLES

(a) STATEMENT OF PURPOSE – The purposes of this Act include the following:

- (1) To preserve and create jobs and promote economic recovery.
- (2) To assist those most impacted by the recession.
- (3) To provide investments needed to increase economic efficiency by spurring technological advances in science and health.
- (4) To invest in transportation, environmental protection, and other infrastructure that will provide long-term economic benefits.
- (5) To stabilize State and local government budgets, in order to minimize and avoid reductions in essential services and counterproductive state and local tax increases.

(b) GENERAL PRINCIPLES CONCERNING USE OF FUNDS.- The President and the heads of Federal departments and agencies shall manage and expend the funds made available in this Act so as to achieve the purposes specified in subsection (a), including commencing expenditures and activities as quickly as possible consistent with prudent management.

Buy American Provision

SEC. 1605. USE OF AMERICAN IRON, STEEL, AND MANUFACTURED GOODS

(a) None of the funds appropriated or otherwise made available by this Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States.

(b) Subsection (a) shall not apply in any case or category of cases in which the head of the Federal department or agency involved finds that—

- (1) applying subsection (a) would be inconsistent with the public interest;
- (2) iron, steel, and the relevant manufactured goods are not produced in the United States in sufficient and reasonably available quantities and of a satisfactory quality; or
- (3) inclusion of iron, steel, and manufactured goods produced in the United States will increase the cost of the overall project by more than 25 percent.

(c) If the head of a Federal department or agency determines that it is necessary to waive the application of subsection (a) based on a finding under subsection (b), the head of the department or agency shall publish in the Federal Register a detailed written justification as to why the provision is being waived.

(d) This section shall be applied in a manner consistent with United States obligations under international agreements.

Army National Guard Bill Language

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$266,304,000, to remain available for obligation until September 30, 2010, to improve, repair and modernize Department of Defense facilities, restore and modernize real property to include barracks, and invest in the energy efficiency of Department of Defense facilities.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for "Military Construction, Army National Guard", \$50,000,000 to remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects in the United States not otherwise authorized by law: *Provided further*, That not later than 30 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Director of the Army National Guard, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this heading.

Air National Guard Bill Language

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$25,848,000, to remain available for obligation until September 30, 2010, to improve, repair and modernize Department of Defense facilities, restore and modernize real property to include barracks, and invest in the energy efficiency of Department of Defense facilities.

MILITARY CONSTRUCTION, AIR NATIONAL GUARD

For an additional amount for "Military Construction, Air National Guard", \$50,000,000 to remain available until September 30, 2013: *Provided*, That notwithstanding any other provision of law, such funds may be obligated and expended to carry out planning and design and military construction projects in the United States not otherwise authorized by law: *Provided further*, That not later than 30 days after the date of enactment of this Act, the Secretary of Defense, in consultation with the Director of the Air National Guard, shall submit to the Committees on Appropriations of both Houses of Congress an expenditure plan for funds provided under this heading.